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| <p>MICHIGAN DEPARTMENT OF CORRECTIONS</p> <h1>POLICY DIRECTIVE</h1> | <p>EFFECTIVE DATE<br/>12/29/10</p>   | <p>NUMBER<br/>04.02.130</p> |
| <p>SUBJECT<br/>PRISONER STORE</p>                                   | <p>SUPERSEDES<br/>04.02.130 (11/15/04); DOM 2010-10</p> <p>AUTHORITY<br/>MCL 791.203; 791.204</p> <p>ACA STANDARDS<br/>4-4042; 4-4379; 2-CO-1B-12; 2-CO-1B-13</p> <p>PAGE 1 OF 5</p> |                             |

## POLICY STATEMENT:

Prisoners in Correctional Facilities Administration (CFA) institutions may purchase approved items for their personal use from a prisoner store as set forth in this policy, except if in the Special Alternative Incarceration Program (SAI).

## RELATED POLICIES:

|           |   |
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| 04.02.105 | Prisoner Funds                            |
| 04.02.135 | Securepak Program                         |
| 04.07.112 | Prisoner Personal Property                |
| 05.01.142 | Special Alternative Incarceration Program |

## POLICY:

### GENERAL INFORMATION

- A. This policy does not apply to the purchase and receipt of items through the Securepak Program except as specifically stated in this policy. Requirements for the purchase of items through the Securepak Program are set forth in PD 04.02.135 "Securepak Program".
- B. Each CFA Region shall have at least one prisoner store from which prisoners may order merchandise for their personal use. Prisoner stores shall be operated through a silent shopping system that requires prisoners to submit written orders to purchase store merchandise. The orders shall be processed, packaged as necessary, and delivered within a reasonable time to prisoners in the individual housing units or to a central location within the institution, as determined by the Warden.
- C. Prisoners shall be permitted to place store orders at least once every two weeks (i.e., 26 times per calendar year). Only merchandise specifically authorized by this policy may be available for purchase from or through a prisoner store. Items identified on the Standardized Store List (Attachment A) shall be available for purchase only from a prisoner store as set forth in this policy. Prisoners shall be permitted to have in their possession prisoner store merchandise only as authorized pursuant to PD 04.07.112 "Prisoner Personal Property", prisoner store merchandise may be limited for prisoners in a Department medical in-patient facility/unit, a Residential Treatment Program, or the Secure Status Outpatient Treatment Program as set forth in PD 04.07.112.
- D. Only authorized staff and authorized prisoners are permitted entry into a prisoner store or warehouse; however, stores and warehouses shall be immediately accessible by staff in case of emergency. If prisoners are assigned to work inside the store or warehouse, the store or warehouse door shall have a fully operational dual locking system.
- E. Store merchandise may be purchased only by individual prisoners for personal use or by the Prisoner Benefit Fund Committee if approved by the Warden pursuant to PD 04.02.110 "Prisoner Benefit Fund" for consumption or use by prisoners. An employee shall not purchase merchandise, issue free merchandise to a prisoner, or appropriate merchandise in any way for personal use.
- F. Prisoners may purchase store merchandise only through the prisoner accounting system. A prisoner may spend no more than \$100 every two weeks (i.e., 26 times per calendar year) to purchase Standardized Store List items from the prisoner store. Product coupons shall not be accepted and

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product promotions shall not be honored. If, at the time the store order is processed, a prisoner does not have sufficient funds for all items s/he ordered, the order shall be processed only for those items for which the prisoner has available funds in the order listed on the store order form; items from the food/beverages and miscellaneous categories shall be listed last. The Warden may set a limit on the quantity of a specific item that a prisoner at his/her institution may purchase per store order.

- G. Prisoners are required to acknowledge receipt of their store order in writing; if a prisoner will not do so, staff shall note the refusal and the order will be delivered to the prisoner. A merchandise refund shall not be issued on any order except for an item received damaged and for an item received that is not the item ordered.
- H. Store merchandise shall be available for sale to prisoners in segregation consistent with PD 04.05.120 "Segregation Standards".

#### STORE CONTRACT COMMITTEE

- I. There shall be a Store Contract Committee comprised of members designated by the CFA Deputy Director after consultation with the Administrator of the Bureau of Fiscal Management (BFM), Operations Support Administration. The Committee shall be responsible for determining the items to be included on the Department's Standardized Store List, subject to approval of the CFA Deputy Director; however, mandatory health care products shall be included on the list only as approved by the Chief Medical Officer. The Committee also shall be responsible for determining which items shall be sold by each regional store taking into consideration recommendations received from the Wardens of institutions serviced by the regional store. The Committee may impose purchasing limits for each store based on available inventory and store space.

#### PRISONER STORE COMMITTEE

- J. Each institution with general population housing shall have at least one Prisoner Store Committee, which shall meet at least monthly. The Committee shall include at least one staff member designated by the Warden and at least one prisoner representative from each general population security level serviced by the store; if there are separate committees for the different security levels within the institution, only prisoner representatives from that security level and staff shall be on the Committee. All prisoner representatives shall be selected by the Warden's Forum as set forth in PD 04.01.150 "Prisoner Housing Unit Representatives/Warden's Forum". Minutes of each committee meeting shall be recorded and posted in a location accessible to prisoners.
- K. The role of the Prisoner Store Committee is to ask questions and discuss concerns the prisoner population has with store operations. The Prisoner Store Committee also is responsible for recommending to the Warden or designee which items from the Standardized Store List should be sold by the store servicing that institution. Recommendations shall be made by majority vote of the Committee. The Prisoner Store Committee is not responsible for determining prices of items sold in the store or for other administrative functions. The Warden or designee shall make the final determination on which items to recommend to the Store Contract Committee, consistent with this policy.

#### STANDARDIZED STORE LIST

- L. No more than 210 items from the Standardized Store List may be sold in a prisoner store. Each size and flavor of individual brands of multiple brand items (e.g., soda, potato chips) shall be counted as a separate item. Only beverages may be sold in a vending machine from which purchases are made directly by prisoners; in such cases, each beverage shall count toward the 210 item limit.
- M. Standardized Store List items shall be available for prisoner purchase only if sold by the prisoner store servicing the institution at which the prisoner is housed. Standardized Store List items shall not be available to prisoners through any other means, unless the item is a hobbycraft supply purchased through other established facility ordering procedures or is available for purchase through the Securepak Program.

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- N. An item removed from the Standardized Store List may continue to be sold by a prisoner store until stock is depleted; prisoners also shall be permitted to continue to possess the item if legitimately purchased, subject to PD 04.07.112 "Prisoner Personal Property". The item shall be deemed contraband and sale of the item immediately discontinued at all prisoner stores, however, if the CFA Deputy Director determines that continued sale and/or possession of the item poses a custody and security concern. Notice that the item has been deemed contraband by the CFA Deputy Director shall be posted in all housing units. A prisoner shall not be issued a misconduct report for possession of the item until the notice has been posted for at least 30 calendar days.
- O. All Standardized Store List items shall comply with fire safety requirements set forth in PD 04.03.120 "Fire Safety". The items also must be non-caustic and not require refrigeration, and shall not be sold past any "sell by" date identified on the item. The following types of items are prohibited unless approved for sale by the CFA Deputy Director:
1. Items in glass or metal containers and in containers containing glass or metal parts.
  2. Oils.
  3. Items containing gum.
  4. Items with double-wall construction (e.g., insulated mugs) or double-wall packaging unless the construction/packaging is clear.
  5. Items in capsule form; this does not include "gel caps".
  6. Items in squeeze bottles.
- P. Preference shall be given to items that are available in transparent/clear containers and, if packaged, in soft packaging even if it is not the favored brand; however, this does not require selling generic-brand items in lieu of name-brand items.

#### OTHER MERCHANDISE SOLD

- Q. In addition to items from the Standardized Store List, the prisoner store may sell appliances, footlockers, and other authorized items as approved by the CFA Deputy Director. The items may either be stocked in the store or available through the store by other established institutional ordering procedures, including catalogs from approved vendors. Envelopes shall be metered through the prisoner store in accordance with OP CFA 04.02.130 "Purchase of Metered Envelopes". Prisoner store orders for metering envelopes shall be filled before orders submitted at the same time by the prisoner for any other item sold by or through the store. No more than 20 envelopes shall be metered for a prisoner in a two week period except during November and December when an additional 10 envelopes per month may be metered. Other personal property items authorized by PD 04.07.112 "Prisoner Personal Property" shall not be sold by or through the prisoner store.
- R. Unless otherwise determined by the CFA Deputy Director, appliances and footlockers removed from the Standardized Property List that are stocked in a prisoner store may continue to be sold until stock is depleted. Prisoners shall be permitted to continue to possess the item, if legitimately purchased, as set forth in PD 04.07.112 "Prisoner Personal Property".

#### PURCHASING

- S. Prisoner store merchandise shall be purchased based on price, quality, and security concerns. The Department may contract with state-wide vendors from which identified merchandise must be purchased, regardless of brand or size. Michigan State Industries shall be the vendor for regular and legal sized envelopes sold by the store and shall include as part of the return address on the envelopes the name and address of the institution ordering the envelopes.

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### PROFITS

- T. The Administrator of the Bureau of Fiscal Management, Operations Support Administration, or designees shall determine necessary price adjustments for prisoner store merchandise, after consultation with the CFA Deputy Director. Postage, however, shall continue to be sold at face value. The goal shall be to maintain retail prices as low as possible yet keeping in mind the financial obligations of the prisoner store, including major renovation or equipment necessary for store operations, and adequate funding of the Prisoner Benefit Fund (PBF).
- U. Net store profits and all commissions from vending machines from which beverages are available for purchase directly by prisoners shall be credited to the PBF pursuant to PD 04.02.110 "Prisoner Benefit Fund". The commissions shall not be processed as store revenue.

### PRICE LISTS AND PRICE CHANGES

- V. A current price list of prisoner store merchandise shall be posted in an unalterable and secure form in housing units or other locations accessible to prisoners, as determined by the Warden or designee. Price changes shall similarly be posted in advance of the change taking effect.

### INVENTORY

- W. The Regional Administrative Officer shall ensure that a monthly inventory of store stock is conducted after the last sale of the month but before the first sale of the new month; the inventory need not be conducted solely by business office staff. The accuracy of the inventories shall be verified monthly by business office staff who were not involved in the inventory count.
- X. The Regional Administrative Officer shall ensure that a perpetual inventory record is maintained for items stocked in the store. The results of the inventory performed pursuant to Paragraph W shall be reconciled with the perpetual inventory record. The Administrative Officer shall ensure that significant differences are investigated and that appropriate action is taken.

### RECONCILIATION

- Y. The Regional Administrative Officer shall ensure that total store receipts are reconciled against total prisoner institutional account store charges for each regular business day.

### FINANCIAL STATEMENTS

- Z. The Regional Administrative Officer shall ensure that a monthly profit and loss statement and balance sheet is completed in a format approved by the BFM Administrator. These financial statements shall be reconciled to the State's accounting system monthly. A copy of the fiscal year-end profit and loss statement and balance sheet shall be forwarded to the BFM Administrator by December 1 of each year.

### INTERNAL CONTROLS

- AA. Wardens and Regional Administrative Officers shall ensure that internal controls are established to account for prisoner store inventory and prevent loss at institutions for which they are responsible. For Regional Administrative Officers, this shall include verification of receipt of goods from vendors, verification of receipt of goods transferred between locations within the facility, and appropriate separation of duties of staff involved in purchasing and receiving prisoner store merchandise. Wardens shall ensure the use and recording of door seals on all doors to areas containing store merchandise.

### PROCEDURES

- BB. Wardens and the BFM Administrator shall ensure that procedures are developed as necessary to implement this policy directive. This shall be completed within 60 calendar days after the effective date

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of the policy directive. This requirement includes ensuring that their existing procedures are revised or rescinded, as appropriate, if inconsistent with policy requirements or no longer needed. Facility procedures shall not conflict with procedures issued by the Director.

#### AUDIT ELEMENTS

- CC. A Primary Audit Elements List has been developed and is available on the Department's Document Access System to assist with self audit of this policy pursuant to PD 01.05.100 "Self Audit of Policies and Procedures".

#### ATTACHMENTS

- DD. This policy directive contains the following attachment:

1. Attachment A - Standardized Store List

APPROVED: PLC 12/13/10

|                                |                            |                      |             |
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## ATTACHMENT A

### STANDARDIZED STORE LIST

No more than 210 of the following items may be available for purchase at each prisoner store. Each size and flavor of individual brands of multiple brand items shall be counted as a separate item. No more than one type of each item may be available for sale in the prisoner store, except as otherwise indicated. At least one of each mandatory store item, as identified by an asterisk (\*), must be available for sale in every prisoner store, except as otherwise indicated by this or another policy.

All items must comply with fire safety requirements set forth in PD 04.03.120 "Fire Safety". All items also must be non-caustic and not require refrigeration. Items shall not be sold past the "sell by" date identified on the item. The following types of items are prohibited, unless approved for sale by the CFA Deputy Director:

1. Items in glass or metal containers and items in containers containing glass or metal parts.
2. Oils.
3. Items containing gum.
4. Items with double-wall construction (e.g., insulated mugs) or double-wall packaging unless the construction/package is clear.
5. Items in capsule form; this does not include "gel caps".
6. Items in squeeze bottles.

Preference shall be given to items that are available in transparent/clear containers and, if packaged, in soft packaging even if it is not the favored brand; however, this does not require selling generic-brand items in lieu of name-brand items.

Store items shall be available for purchase by prisoners in segregation as set forth in PD 04.05.120 "Segregation Standards".

#### I. MANDATORY HEALTH CARE PRODUCTS

- \* Hydrocortisone, 1% cream (maximum 1 oz. tube)
- \* Antibacterial soap (e.g., Dial) (maximum 5 oz.)
- \* Medicated foot pads
- \* Clotrimazole, 1% cream (antifungal cream) (maximum 1 oz.)
- \* Loratadine, 10 mg. tablets (allergy medicine) (maximum 30 tablets)
- \* "Balanced" liquid antacid, with or without simethicone (e.g., Mylanta, Maalox) (maximum 12 oz.)
- \* Psyllium seed based laxative (maximum 13 oz.)
- \* Chlorpheniramine maleate, 4 mg. tablets (allergy tablets) (maximum 24 tablets)
- \* Cold tablets (e.g., Alka Seltzer Cold Plus; cannot contain Pseudoephedrine or Diphenhydramine) (maximum 24 tablets)
- \* Aspirin, 325 mg. tablets (maximum 100 tablets)
- \* Ibuprofen, 200 mg. tablets (maximum 100 tablets)
- \* Acetaminophen, 325 mg. tablets (maximum 100 tablets)
- \* Naproxen, 200 mg. tablets (maximum 100 tablets)
- \* Benzoyl peroxide, 10% preparation (acne skin preparation) (maximum 2 oz.)
- \* Tolnaftate, 1% cream (anti-fungal cream) (maximum 1 oz.)
- \* Hemorrhoidal cream (maximum 2 oz.)
- \* Abrasive callous sponge (e.g., titania pumice sponge) (maximum 2" x 4"; porous only; pumice stone prohibited)

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I. MANDATORY HEALTH CARE PRODUCTS (cont'd)

- \* Dandruff shampoo (maximum 15 oz.)
- \* Coal tar dandruff shampoo (maximum 15 oz.)
- \* Sun screen with SPF 30 or greater (maximum 4 oz.)
- \* Petroleum jelly (maximum 2 oz.)
- \* Cream depilatory (e.g., Magic Cream Shave) (maximum 6 oz.) (mandatory only for male prisoners)
- \* Moisturizing skin cream/cocoa butter cream (maximum 8 oz.)
- \* Moisturizing soap (e.g., Tone) (maximum 5 oz.)
- \* Soft bristle toothbrush (maximum 4 inch total length)
- \* Sensitivity type toothpaste (e.g., Sensodyne) (tube; maximum 7 oz.)
- \* Hypoallergenic soap (e.g., Neutrogena) (maximum 5 oz.)
- \* Ranitidine, 75 mg. tablets or Cimetidine (maximum 30 tablets)
- \* Menstrual relief medication (e.g., Midol; Pamprin) (female prisoners only)
- \* Monistat 7 (female prisoners only)

II. OVER-THE-COUNTER PERSONAL CARE PRODUCTS

- Multivitamins (maximum 100 tablets; maximum 100% of the DRI for all nutrients) (no more than 2 types of item, if sold, at least one must be without iron or other minerals)
- Vitamin E (maximum 250 I.U. tablets) (maximum 100 tablets)
- Vitamin C (maximum 250 mg. tablets) (maximum 100 tablets)
- Cough drops (maximum 30 per pkg.)
- Antacid, tablet form (e.g., Rolaids; TUMS) (maximum 12 tablets)
- Foot powder (maximum 3 oz.)
- Eye drops (no separate eye dropper; maximum 1 oz.)
- "Medicated" chest rub (maximum 4 oz.)
- Analgesic muscle rub (e.g., Icy Hot, Ben Gay) (maximum 6 oz.)
- \* Insect repellant (maximum 10% Deet only) (mandatory May to October only)

III. HYGIENE PRODUCTS

Hair Care

- Shampoo (non-medicated), conditioner, and/or cream rinse (maximum 15 oz.) (no more than 4 types of items total in any combination of items)
- Gel, mousse, or moisturizer (maximum 15 oz.) (no more than 3 types of items total)
- Comb or pick (not to exceed 7" in length; flexible plastic) (no more than 1 Afro comb or pick and 1 barber comb)
- Hair brush (not to exceed 6" in length; no handle) (no more than 1 military brush and 1 styling brush)
- Hairspray (alcohol-free; non-aerosol; clear bottle; maximum 8 oz.) (female prisoners only)
- Wave cap, doo rag, or sleep cap (black and/or white only)
- Shower cap (plastic)
- Braided elastic or terry cloth ponytail holders (maximum 1 pkg.) (black and/or white only)
- Barrettes (all plastic parts; maximum 1 pkg.) (female prisoners only)
- Terry cloth sweatband (no padding; plain only; for the head) (black and/or white only)

Skin Care

- \* Body lotion (no oils; maximum 15 oz.) (no more than 3 types of item)
- Bar soap (bath size; maximum 5 oz.) (no more than 2 types of item)
- \* Deodorant and/or antiperspirant (no aerosol or roll-on; maximum 3 oz.) (no more than 2 types of items total)
- \* Shaving cream or gel (maximum 7 oz.; brushless) (no more than 2 types of items total)
- Depilatory cream, lotion, or gel (maximum 6 oz.)
- After shave (no oils; alcohol-free); (maximum 3 oz.)

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### III. HYGIENE PRODUCTS (cont'd)

- \* Disposable razor (single blade; plastic frame) (not required for Level V or for prisoners in inpatient psychiatric units, Secure Status Outpatient Treatment Program, or Residential Treatment Programs; instead, razors are to be issued as needed)  
Body talc (maximum 13 oz.)  
"Medicated" facial cream (e.g., Noxema) (maximum 8 oz.) (no more than 2 types of item)
- \* Chapped lip balm/lip ointment (maximum 6 grams)

#### Dental

- \* Toothpaste (tube; maximum 7 oz.) (no more than 2 types of item)  
Toothbrush cap (plastic; to cover brush part only)
- \* Denture adhesive (maximum 3 oz.)
- \* Denture cleanser (maximum 40 tablets)
- \* Denture brush  
Floss (maximum 25 yards)  
Mouthwash (alcohol-free; maximum 8 oz.)  
Denture cup

#### Miscellaneous

- Soap dish (plastic with cover)
- \* Shower shoes (rubber) (no more than four sizes)  
Cotton swabs (flexible)  
Fingernail clippers (under 2 1/2" in length; no file)  
Facial tissues (soft packaging only; no box)
- \* Shaving/cosmetic bag (Keefe/Crawford Distributing Co. #51155) (clear plastic; nylon zipper closure; maximum 10" x 8" x 4") (mandatory only in Level I through IV; not permitted for Level V)  
Sanitary napkins (female prisoners only) (no more than 2 types of item)  
Tampons (female prisoners only) (no more than 2 types of item)  
Panty liners (female prisoners only)  
Tweezers (female prisoners only) (maximum 3 1/2" in length)  
Arch supports (no metal or gel parts)  
Shoe insoles (no metal or gel parts)

### IV. STATIONERY

- Address book (no metal parts)
- \* Writing paper (8 1/2" x 11"; white, lined paper)
- \* Typing paper (8 1/2" x 11") (may be sold in reams not exceeding 500 sheets)
- \* Carbon paper (8 1/2" x 11")
- \* Envelopes (regular - 3 5/8" x 6 1/2", legal - 4 1/8" x 9 1/2") (no more than 2 types of item) (purchased from MSI with return address)
- \* Envelopes (Manila 10" x 15"; 15" x 20") (no more than 2 types of item)  
Pens (blue or black ink; transparent barrel) (no more than 2 types of item)
- \* Pencils (#2 lead)  
Greeting cards (maximum card size 6-1/8" x 11-12")  
File folders (letter size; no metal parts)  
Calendar (maximum 8 1/2" x 11"; no metal parts)
- \* Scrapbook/photo album (no metal parts; maximum 12" x 12") (mandatory only in Level I through IV; not permitted for Level V)

### V. MISCELLANEOUS

- Batteries (AA, AAA, C, or D; no rechargeables; alkaline only) (no more than 4 types of item)
- \* Playing cards (no more than 2 types of item)  
Game of dominoes (no metal pieces or other items which may pose a threat to the custody and security of the institution)



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V. MISCELLANEOUS (con't)

Checkers/chess (combination set or separate sets; chess pieces must be either hollow with no bottom or solid; no metal pieces or other items which may pose a threat to the custody and security of the institution; only checker/chess boards made of cardboard permitted for Level V)

Earplugs (for noise reduction)

Ear buds/earplugs (for appliances; 9' maximum length)

Sewing kit (no more than 2 sewing needles, 2 safety pins, one thimble, 11 small spools of thread, 1 paper ruler up to 25" long, 2 buttons, 2 straight pins, 1 needle threader, and 1 pair of plastic-handled scissors with no greater than 1-1/4" metal cutting edge and no longer than 1-3/4" when extended)

Shoelaces (no more than 2 types of item) (black, brown, and/or white only; maximum length 44")

Shoe polish (4 oz.) (no more than 3 types of item)

Cup (Alladdin Mug Model #191 - 12 oz.)

Spork (plastic/pliable)

Bowl with lid (maximum 1.6 qt.; plastic/pliable; microwave safe)

Tumbler with lid (Churchill Container Corp. #CC-22-5 - 22 oz.)

Mirror (Keefe/Crawford Distributing Co. #20281) (flexible plastic; no magnet)

Push pins (round head; maximum 1/2 inch total length)

AC/DC adapter

Stereo/mono mini adapter (for use with headphones)

Extension cord (UL listed; 9' maximum length; minimum 16-gauge wire)

Photo tickets

Protein powder (simple protein concentrate without added amino acids, enzymes, or hormones; e.g., whey, soy, or egg protein) (maximum 16 oz.)

Identification card holder (single fold; no larger than 3 1/2" x 5" when folded)

- \* Key ring (plastic only; no metal parts) (only required and allowed at facilities at which prisoners are issued room keys)

Eyeglass case (soft; MSI 46F-0640)

Headphone extension cord (Keefe/Crawford Distributing Co. #50829)

NOTE: Flat plastic hangers (M & P Plastic, #mp 106), Saf-T-Hangers, and 32 oz. cups (Model #Q501) previously on the Standardized Store List are discontinued but prisoners may continue to possess.

VI. COSMETICS - FEMALE PRISONERS ONLY

Make-up (only lipstick, mascara, liquid foundation, face powder, eyebrow pencil, eyeliner, blush/rouge, eye shadow; only one color/shade per container) (no more than 18 types of items total)

Hair curlers (plastic - sponge type)

VII. FOOD/BEVERAGES

No more than 95 types of items.

- \* Food/beverage items in store must include at least five of the following:
  - \* Saccharine (e.g., Sweet 'n Low) or Sucralose (e.g., Splenda brand) artificial sweetener
  - Powdered milk
  - Sugar-free candy
  - Sugar-free cereal
  - Unsweetened beverage mix (e.g., Koolaid)
  - Vanilla wafers
  - Graham crackers
  - Sugar free cocoa/chocolate drink mix
  - Pretzels
  - Vacuum-packed vegetables
  - Low fat, low salt popcorn
  - Low fat, low salt crackers